

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF PUERTO RICO**

In re: \*  
\*  
**HERMANOS TORRES PEREZ, INC.** \* Case No: 09-05585 (MCF)  
\*  
Debtor \* Chapter 11  
\*  
\*\*\*\*\*

**UNITED STATES TRUSTEE'S POSITION  
REGARDING APPOINTMENT OF EXAMINER**

**TO THE HONORABLE COURT:**

COMES NOW Donald F. Walton, the United States Trustee for Region 21 (the “United States Trustee”), and pursuant to 28 U.S.C. § 586(a) and § 307 of the Bankruptcy Code, respectfully states and prays as follows:

**Procedural Background**

1. On June 7, 2010, Debtor’s creditor, Peerless Oil & Chemicals, Inc. (“Peerless”), filed an *Urgent Motion for Appointment of Examiner* (the “Motion for Examiner”) (Dkt. #151).

**United States Trustee’s Position**

2. The United States Trustee reviewed the Motion for Examiner.  
3. Based on the alleged facts submitted in the Motion for Examiner, the United States Trustee respectfully submits that he would not have an objection to the same.  
4. If Peerless’ request is granted by the Court, the United States Trustee will commence the process to appoint the examiner accordingly, as provided by the Bankruptcy Code.

**WHEREFORE**, the United States Trustee respectfully requests that this Honorable Court take note of the above stated and enter such further relief as deemed just and

proper.

**CERTIFICATE OF SERVICE**

**I DO HEREBY CERTIFY** that on this day I electronically filed a true and exact copy of the foregoing with the Clerk of the Court using the CM/ECF System which will send notification of such filing to the following:

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**I DO HEREBY FURTHER CERTIFY** that on this same date a true and exact copy of the foregoing has been sent by regular United States mail to the Debtor, **Hermanos Tores Perez, Inc.**, through its President, **Maria de los Angeles Torres Perez**, PO Box 209, Mercedita, PR 00715; **Jorge Fernandez Reboreda**, Rivera & Fernandez Reboreda PSC, PO Box 360764, San Juan, PR 00936-0764; and **Leib M. Lerner**, Alston & Bird LLP, 333 South Hope Street, 16<sup>th</sup> Floor, Los Angeles, CA 90071.

DATED: June 9, 2010.

**DONALD F. WALTON**

United States Trustee for Region 21

**MONSITA LECAROZ ARRIBAS**

Assistant United States Trustee

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**(Electronically Filed)**

By: s/ José Carlos Díaz-Vega

José Carlos Díaz-Vega

Trial Attorney

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